Respondent: The Management of M/s Motilal. Chunilal, Dealers in Weights and Measures, Kiran Bazar, Gulbarga.

G. O. No. SWL 375 LLD 79 dated 14th June 1979

JUDGEMENT AND AWARD

The Government of Karnataka havemade this reference under clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (Central Act 14 of 1947) referring the dispute between Sri Vijayakumar and the management of M/s Motilal Chunilal Dealers in Weights and Measures, Kiran Bazar, Gulbarga for adjudication to this Court on the following points of disputes.

1 Is Mr. Motilal Chunilal, employer justified in terminatingb the services of his workman Sri Vijayakumar S/o Ramachandra Raof Magadamapur (Gowli Hallikatta) Gulbarga w. e. f. 2nd October 1978 ?

2 If not to what other relief the workman Sri Vijaykumar is entitled to.

2 The claimant in his claim statement states as follows :

He was working as Gumaste and repairers from the year 1954 to 1978 to the best of satisfaction of the owner. But all of a sudden the respondent of the shop informed orally and cancel my services. He has made repeated requests to take him back to duty. But the Respondent told that he has lossed him about 1500. The conciliation proceedings ended in failure. He was getting Rs. 165 per month. Therefore he prays that he may be reinstated in service with full back wages.

3 The Respondent has remained absent, He is placed *exprate*.

4 In support of his case the claimant has examined himself as WW-1 land closed his case. No documentary evidence is adduced on his behalf. the Respondent has not adduced any evidence either oral or documentary.

5 I have perused the records and heard Sri Sidramappa learned representative for claimant.

6 The claimantes WW-1 has stated that he is working in the Respondent shop since 24 years, He was getting a salary of Rs. 165 p. m. His services were terminated on the ground that there was no business. He gave an application to the Respondent. He stated that he (Respondent) himself conduct the business. He asked him to pay service compensation. The Respondent told him that he was unable to pay him service compensation. He approached the Labour Officer. There was conciliation. Conciliation failed. He prays that he may be reinstated in service with full back wages and continuity of service.

7 As I stated that the Respondent has remained absent. The evidence of the claimant must be accepted. He has stated that his services have been terminated. The termination must be held to be illegal because no domestic enquiry has been held against the claimant or any misconducts. So he must be reinstated in service with full back wages.

8 In the result the reference succeeds and is allowed. I order that the Respondent should reinstate the claimant immediately with full back wages and continuity of service. He must pay the costs. Representative's fee Rs. 50.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me)

Hubli
Dated 6-6-1980.

H. L. NARAYANAGOWDA,
Presiding Officer,
Labour Court, Hubli.

ORDER No. SWL 214 LLA 80

Bangalore, dated the 5th August 1980.

Whereas by State Government Order No. SWL 375 LLD 79 dated 14th June 1979 the Industrial dispute between the workmen and the management of Mothilal Chunilal, Dealers in Weights & Measures Kirau Bazar, Gulbarga was referred to the Labour Court, Hubli for adjudication ;

And whereas the Presiding Officer, Labour Court, Hubli has submitted to the State Government its award in respect of the said Industrial Dispute.

Now, therefore, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947(Central Act 14 of 1947), the Government of Karnataka are pleased to direct the publication of the said award as above, in the *Karnataka Gazette*.

By Order and in the name of the Governor of Karnataka,

J. PILLAPPA,
Desk Officer,
Social Welfare and Labour Deptt.
(Labour-A).

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Order No. SWL 297 LLD 80.

Bangalore, dated 4th June 1980.

Whereas the Government of Karnataka are of opinion that an Industrial Dispute exists between the workmen and the management of Indian Plywood Manufacturing Company Limited, Dharwar on the points noted below ;